

State of Michigan

Attorney Discipline Board

Grievance Administrator,
Michigan Attorney Grievance Commission,

Petitioner,
v

ADB Case No. 19-47-AI

Paul J. Nicoletti, P44419,

Respondent.

_____/

TO: Paul J. Nicoletti
Nicoletti Law PLC
33717 Woodward Ave Ste 433
Birmingham, MI 48009-0913

Paul J. Nicoletti
3861 Estates Ct
Troy, MI 48084-1144

Notice of Filing of a Judgment of Conviction

I.

(Parties and Jurisdiction)

Petitioner, upon information and belief, states the following:

1. Petitioner, Grievance Administrator, is authorized by MCR 9.109(B)(6) to prosecute this action by the Attorney Grievance Commission, which is the prosecution arm of the Supreme Court for the discharge of its constitutional responsibility to supervise and discipline Michigan attorneys.
2. As a licensed Michigan attorney, Respondent is subject to the jurisdiction of the Supreme Court and the Attorney Discipline Board as set forth in MCR 9.104.
3. Michigan attorneys have a duty to conduct themselves personally and professionally at all times in conformity with the standards imposed on members of the bar as a condition of the privilege to practice law.

4. Respondent Paul Nicoletti, P44419, is a Michigan attorney who was licensed to practice law in 1991 and who resides or has his principle place of business in the county of Oakland.

II.

(Notice of Judgment of Conviction)

5. Petitioner, in accordance with MCR 9.120(B)(3), files notice that on or about May 7, 2019, Respondent was convicted in *United States of America v Paul Nicoletti*, USDC Case No: 2:15-cr-20382, for Bank Fraud Conspiracy, a Felony, in violation of 18 U.S.C. § 1349 and 18 U.S.C. § 1344, and three counts of Bank Fraud Aiding and Abetting, a Felony, in violation of 18 U.S.C. § 1344 and 18 U.S.C. § 2. (A certified copy of the Docket sheet and Judgment of Sentence is attached as Attachments A and B).

Under MCR 9.120(B)(3), the Attorney Discipline Board shall issue an order to show cause why a final order of discipline should not be entered and refer the proceeding to a hearing panel for a hearing. At the hearing to be conducted in accordance with MCR 9.115(J)(3), the panel is to inquire into the specific facts of the case and consider all aggravating and mitigating circumstances. *Grievance Administrator v Deutch*, 455 Mich 149, 168-169 (1997).

Dated: *3-16-2020*



Michael V. Goetz (P41139)
Grievance Administrator
Attorney Grievance Commission
535 Griswold, Suite 1700
Detroit, MI 48226
(313) 961-6585

*** PUBLIC DOCKET ***

JURY_TRIAL,reassigned

U.S. District Court
Eastern District of Michigan (Detroit)
CRIMINAL DOCKET FOR CASE #: 2:15-cr-20382-VAR-MKM-1

Case title: United States of America v. Nicoletti

Date Filed: 06/23/2015

Date Terminated: 02/03/2020

Assigned to: District Judge Victoria A.
Roberts
Referred to: Magistrate Judge Mona K.
Majzoub

Defendant (1)

Paul Nicoletti

TERMINATED: 02/03/2020

represented by **Federal Community Defender**

Federal Defender Office

613 Abbott

5th Floor

Detroit, MI 48226

313-967-5542

TERMINATED: 10/05/2015

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Public Defender or

Community Defender Appointment

James C. Howarth

615 Griswold

Suite 820

Detroit, MI 48226

313-963-1455

Fax: 313-961-4315

Email: james-howarth@att.net

TERMINATED: 05/20/2019

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

John R. Minock

Cramer, Minock & Sweeney, P.L.C.

339 E. Liberty Street

Suite 200

I hereby certify that the foregoing is
a true copy of the original on file in this
Office.

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

BY: 

Deputy

Ann Arbor, MI 48104
734-668-2200
Email: jminock@cramermanock.com
TERMINATED: 04/28/2017
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Martin E. Crandall
Clark Hill
500 Woodward Avenue
Suite 3500
Detroit, MI 48226-3435
313-965-8300
Fax: 313-965-8413
Email: mcrandall@clarkhill.com
TERMINATED: 05/12/2017
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Michael J. Harrison
Harrison Law
40950 Woodward
Bloomfield Hills, MI 48304
248-220-3324
Fax: 248-220-3326
Email: michael@harrisonlawplc.com
TERMINATED: 06/28/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Paul J. Stablein
Paul Stablein, PLLC
39520 Woodward Avenue
Suite 230
Bloomfield Hills, MI 48304
United Sta
248-705-8441
Fax: 248-645-8262
Email: paulstablein@stableinlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

Disposition

IMPRISONMENT: 70 MONTHS,

18:1349.F ATTEMPT AND
CONSPIRACY TO COMMIT FRAUD
(1)

CONCURRENT; SUPERVISED
RELEASE: 24 MONTHS,
CONCURRENT; SPECIAL
ASSESSMENT: \$400.00;
RESTITUTION: \$5,478,751.58

18:1344A.F BANK FRAUD
(2-4)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

United States of America

represented by **Craig A. Weier**
U.S. Attorney's Office
211 W. Fort Street
Suite 2001
Detroit, MI 48226
313-226-9100
Email: craig.weier@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: U.S. Attorney

John K. Neal
United States Attorney's Office
211 W. Fort Street
Detroit, MI 48226
(313) 226-9644
Email: john.neal@usdoj.gov
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----------|---|
| 06/23/2015 | <u>1</u> | INDICTMENT as to Paul Nicoletti (1) count(s) 1, 2-4. (DPer) (Entered: 06/23/2015) |

| | | |
|------------|-----------|---|
| | | 06/24/2015) |
| 06/23/2015 | <u>2</u> | ORDER WITH MOTION to Seal <u>1</u> Indictment as to Paul Nicoletti. Signed by Magistrate Judge Elizabeth A. Stafford. (DPer) (Entered: 06/24/2015) |
| 08/28/2015 | <u>3</u> | ORDER WITH MOTION to Unseal <u>2</u> Order to Seal, <u>1</u> Indictment as to Paul Nicoletti. Signed by Magistrate Judge Mona K. Majzoub. (DPer) (Entered: 08/28/2015) |
| 09/18/2015 | | Minute Entry for proceedings before Magistrate Judge R. Steven Whalen: Initial Appearance as to Paul Nicoletti held on 9/18/2015. Bond Info: Paul Nicoletti (1) \$10,000.00 Unsecured.(Court Reporter: Digitally Recorded) (Defendant Attorney: John Minock) (AUSA: Craig Weier) (MarW) (Entered: 09/18/2015) |
| 09/18/2015 | | Minute Entry for proceedings before Magistrate Judge R. Steven Whalen: Arraignment as to Paul Nicoletti (1) Count 1,2-4 held on 9/18/2015. Bond Continued. Disposition: Not Guilty Plea Entered.(Court Reporter: Digitally Recorded) (Defendant Attorney: John Minock) (AUSA: Craig Weier) (MarW) (Entered: 09/18/2015) |
| 09/18/2015 | <u>4</u> | Audio File of Arraignment as to Paul Nicoletti held on 09/18/2015 before Magistrate Judge R. Steven Whalen. AUDIO FILE SIZE (3.8 MB) (LHos) (Entered: 09/18/2015) |
| 09/18/2015 | <u>5</u> | ORDER REASSIGNING CASE from District Judge Gerald E. Rosen and Magistrate Judge Elizabeth A. Stafford to District Judge Victoria A. Roberts and Magistrate Judge Mona K. Majzoub (SSch) (Entered: 09/18/2015) |
| 09/18/2015 | <u>6</u> | NOTICE OF ATTORNEY APPEARANCE: John R. Minock appearing for Paul Nicoletti. (LHos) (Entered: 09/18/2015) |
| 09/18/2015 | <u>7</u> | ACKNOWLEDGMENT of Indictment by Paul Nicoletti. (LHos) (Entered: 09/18/2015) |
| 09/18/2015 | <u>8</u> | ORDER Setting Conditions of Release as to Paul Nicoletti. Signed by Magistrate Judge R. Steven Whalen. (LHos) (Entered: 09/18/2015) |
| 09/18/2015 | <u>9</u> | BOND as to Paul Nicoletti in the amount of \$10,000 unsecured entered. (LHos) (Entered: 09/18/2015) |
| 09/24/2015 | <u>10</u> | TRIAL NOTICE AND STANDING ORDER as to Paul Nicoletti Motions due by 10/9/2015 Plea due by 10/23/2015 Jury Trial set for 11/23/2015 09:00 AM before District Judge Victoria A. Roberts Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 09/24/2015) |
| 09/28/2015 | <u>11</u> | Stipulated Order for a Protective Order Regarding Production of Financial, Banking, Tax and other Records Containing Personally Identifiable and Other Sensitive Information. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 09/28/2015) |
| 09/28/2015 | <u>12</u> | ORDER APPOINTING FEDERAL DEFENDER as to Paul Nicoletti. Signed by Magistrate Judge R. Steven Whalen. (SOso) (Entered: 10/01/2015) |

| | | |
|------------|-----------|--|
| 10/05/2015 | <u>13</u> | CJA 20 as to Paul Nicoletti: Appointment of Attorney John R. Minock in place of Federal Defender. (DPer) (Entered: 10/06/2015) |
| 10/15/2015 | <u>14</u> | Mail Returned as Undeliverable as to Paul Nicoletti Mail sent to John R. Minock re <u>13</u> CJA 20 - Appointment (SSch) (Entered: 10/16/2015) |
| 10/19/2015 | <u>15</u> | STIPULATION AND ORDER TO CONTINUE - Ends of Justice as to Paul Nicoletti Motions due by 4/12/2016 Plea due by 5/3/2016 Jury Trial set for 6/7/2016 09:00 AM before District Judge Victoria A. Roberts Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 10/19/2015) |
| 01/29/2016 | <u>18</u> | DISCOVERY NOTICE as to Paul Nicoletti (Minock, John) (Entered: 01/29/2016) |
| 05/04/2016 | <u>20</u> | STIPULATION AND ORDER TO CONTINUE - Ends of Justice as to Paul Nicoletti Motions due by 6/6/2016 Plea due by 9/2/2016 Jury Trial set for 10/17/2016 09:00 AM before District Judge Victoria A. Roberts Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 05/04/2016) |
| 05/04/2016 | <u>21</u> | AMENDED TRIAL NOTICE AND STANDING ORDER as to Paul Nicoletti Motions due by 6/6/2016 Plea due by 9/2/2016 Jury Trial set for 10/17/2016 09:00 AM before District Judge Victoria A. Roberts SEE ORDER FOR DETAILS Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 05/04/2016) |
| 05/18/2016 | <u>22</u> | STIPULATION AND ORDER Extending Motion Cut off Deadline(Motions due by 6/20/2016) as to Paul Nicoletti, Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 05/18/2016) |
| 06/21/2016 | <u>23</u> | STIPULATION AND ORDER Extending Motion cut off deadline as to Paul Nicoletti, (Motions due by 7/20/2016) Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 06/21/2016) |
| 07/19/2016 | <u>24</u> | STIPULATION AND ORDER as to Paul Nicoletti, Extending motion cut off (Motions due by 7/22/2016) Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 07/19/2016) |
| 07/25/2016 | <u>25</u> | STIPULATION AND ORDER Extending Pretrial Motion Cut Off as to Paul Nicoletti, (Motions due by 8/5/2016) Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 07/25/2016) |
| 08/05/2016 | <u>28</u> | MOTION for Discovery by Paul Nicoletti. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit) (Minock, John) (Entered: 08/05/2016) |
| 08/05/2016 | <u>29</u> | ERRATA Sheet by Paul Nicoletti re: <u>28</u> MOTION for Discovery filed by Paul Nicoletti. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit) (Minock, John) (Entered: 08/05/2016) |
| 08/11/2016 | <u>30</u> | ORDER REFERRING MOTION to Magistrate Judge Mona K. Majzoub: <u>28</u> Motion for Discovery. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 08/11/2016) |
| | | |

| | | |
|------------|-----------|--|
| 08/12/2016 | <u>31</u> | Notice of Determination of Motion Without Oral Argument re <u>28</u> MOTION for Discovery as to Paul Nicoletti. JOINT Statement of Resolved and Unresolved Issues to be filed on or before September 9, 2016. (LBar) (Entered: 08/12/2016) |
| 08/22/2016 | <u>32</u> | STIPULATION AND ORDER as to Paul Nicoletti, (Response due by 9/2/2016, Reply due by 9/30/2016 and JOINT Statement of Resolved and Unresolved Issues to be filed on or before October 14, 2016) - Signed by Magistrate Judge Mona K. Majzoub. (LBar) (Entered: 08/22/2016) |
| 09/02/2016 | <u>33</u> | RESPONSE by United States of America as to Paul Nicoletti re <u>28</u> MOTION for Discovery (Weier, Craig) (Entered: 09/02/2016) |
| 09/09/2016 | <u>34</u> | STIPULATION AND ORDER TO CONTINUE - Ends of Justice as to Paul Nicoletti Plea due by 1/6/2017 Motions in Limine due by 2/21/2017 Jury Trial set for 3/21/2017 09:00 AM before District Judge Victoria A. Roberts Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 09/09/2016) |
| 09/30/2016 | <u>35</u> | REPLY TO RESPONSE by Paul Nicoletti re <u>28</u> MOTION for Discovery (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit United States v Charikov Transcript of Testimony of William Black, # <u>3</u> Exhibit ABA Journal Article February 1, 2016) (Minock, John) (Entered: 09/30/2016) |
| 10/14/2016 | <u>36</u> | RESPONSE by United States of America as to Paul Nicoletti re <u>28</u> MOTION for Discovery <i>Joint Statement of Unresolved Issues</i> (Weier, Craig) (Entered: 10/14/2016) |
| 11/16/2016 | <u>38</u> | ORDER Denying <u>28</u> Motion for Discovery as to Paul Nicoletti (1) - Signed by Magistrate Judge Mona K. Majzoub. (LBar) (Entered: 11/16/2016) |
| 11/30/2016 | <u>39</u> | [DOCKET ERROR - WRONG EVENT USED - DOCUMENT IS OBJECTIONS TO MAGISTRATES ORDER R 38.] APPEAL OF MAGISTRATE JUDGE DECISION by Paul Nicoletti re <u>38</u> Order on Motion for Discovery. (Minock, John) Modified on 12/1/2016 (LGra). (Entered: 11/30/2016) |
| 11/30/2016 | | TEXT-ONLY ORDER Response to <u>39</u> Appeal of Magistrate Judge Decision filed by Paul Nicoletti., (Response due by 12/14/2016, Reply due by 12/21/2016) as to Paul Nicoletti Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 11/30/2016) |
| 12/19/2016 | <u>40</u> | STIPULATION AND ORDER Permitting Extension to Respond to Defendant's Objections to Magistrate's Order Denying Discovery Motion <u>38</u> as to Paul Nicoletti, (Response due by 12/30/2016, Reply due by 1/9/2017) Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 12/19/2016) |
| 12/29/2016 | <u>41</u> | STIPULATION AND ORDER as to Paul Nicoletti, Extending dates for response and reply to objections (Response due by 1/13/2017, Reply due by 1/23/2017) Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 12/29/2016) |
| | | |

| | | |
|------------|-----------|--|
| 01/13/2017 | <u>42</u> | RESPONSE to <u>39</u> Appeal of Magistrate Judge Decision by United States of America as to Paul Nicoletti (Weier, Craig) (Entered: 01/13/2017) |
| 01/23/2017 | <u>43</u> | REPLY TO RESPONSE by Paul Nicoletti re <u>28</u> MOTION for Discovery <i>Reply to Government Response R42 to Objections to Magistrate Opinion</i> (Minock, John) (Entered: 01/23/2017) |
| 02/08/2017 | <u>44</u> | MOTION <i>for Leave to Issue Pretrial Subpoenas</i> by Paul Nicoletti. (Minock, John) (Entered: 02/08/2017) |
| 02/13/2017 | <u>45</u> | STIPULATED PROTECTIVE ORDER as to Paul Nicoletti Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 02/13/2017) |
| 02/13/2017 | <u>46</u> | STANDING ORDER On Motions to Seal as to Paul Nicoletti Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 02/13/2017) |
| 02/17/2017 | <u>47</u> | ORDER Overruling Defendant's <u>39</u> Objections to Magistrate Judge Order. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 02/17/2017) |
| 02/21/2017 | <u>48</u> | MOTION in Limine <i>to Preclude Improper Evidence and Arguments</i> by United States of America as to Paul Nicoletti. (Weier, Craig) (Entered: 02/21/2017) |
| 02/22/2017 | <u>49</u> | STIPULATION AND ORDER to Extend Time for Defendant to File Pretrial Motions. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 02/22/2017) |
| 02/23/2017 | <u>50</u> | MOTION to Adjourn <i>Trial</i> by Paul Nicoletti. (Minock, John) (Entered: 02/23/2017) |
| 02/24/2017 | <u>51</u> | ORDER granting <u>44</u> Motion for Leave to Issue Pretrial Subpoenas as to Paul Nicoletti (1). Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 02/24/2017) |
| 02/28/2017 | <u>52</u> | STIPULATION AND ORDER TO CONTINUE - Ends of Justice as to Paul Nicoletti Plea Cut Off/Hearing/Pretrial Conference set for 4/18/2017 02:00 PM before District Judge Victoria A. Roberts Plea due by 4/18/2017 Jury Trial set for 6/12/2017 09:00 AM before District Judge Victoria A. Roberts Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 02/28/2017) |
| 03/03/2017 | <u>53</u> | MOTION Preclude Serial Testimony by Paul Nicoletti. (Minock, John) (Entered: 03/03/2017) |
| 03/08/2017 | <u>54</u> | STIPULATION AND ORDER Extending Date for Response to <u>48</u> , (Response due by 3/10/2017)as to Paul Nicoletti Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 03/08/2017) |
| 03/10/2017 | <u>55</u> | RESPONSE by United States of America as to Paul Nicoletti re <u>53</u> MOTION Preclude Serial Testimony (Weier, Craig) (Entered: 03/10/2017) |
| 03/13/2017 | <u>56</u> | STIPULATION AND ORDER as to Paul Nicoletti, Extending Date to File Response(Response due by 3/14/2017) Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 03/13/2017) |

| | | |
|------------|-----------|---|
| 03/14/2017 | <u>57</u> | RESPONSE by Paul Nicoletti re <u>48</u> MOTION in Limine to Preclude Improper Evidence and Arguments (Minock, John) (Entered: 03/14/2017) |
| 03/21/2017 | <u>58</u> | REPLY to <u>57</u> Response to Motion by United States of America as to Paul Nicoletti (Weier, Craig) (Entered: 03/21/2017) |
| 03/21/2017 | <u>59</u> | REPLY TO RESPONSE by Paul Nicoletti re <u>53</u> MOTION Preclude Serial Testimony (Minock, John) (Entered: 03/21/2017) |
| 04/06/2017 | | Set/Reset Deadlines/Hearings as to Paul Nicoletti: Plea Hearing/Pretrial Conference set for 5/4/2017 03:00 PM before District Judge Victoria A. Roberts Plea due by 5/4/2017 Adjourned from 4/18/2017 (CPin) (Entered: 04/06/2017) |
| 04/18/2017 | <u>60</u> | ORDER Granting <u>48</u> Motion in Limine to Preclude Improper Evidence and Argument. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 04/18/2017) |
| 04/18/2017 | <u>61</u> | ORDER Denying <u>53</u> Motion in Limine to Preclude The Government From Calling One Agent on Multiple Occasions In Its Case In Chief. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 04/18/2017) |
| 04/21/2017 | | Set/Reset Deadlines/Hearings as to Paul Nicoletti: Plea Cut Off/Plea Hearing reset for 5/16/2017 01:30 PM before District Judge Victoria A. Roberts Plea due by 5/16/2017 Adjourned from 5/4/2017 (CPin) (Entered: 04/21/2017) |
| 04/26/2017 | <u>62</u> | MOTION for Withdrawal of Attorney John Minock by Paul Nicoletti. (Minock, John) (Entered: 04/26/2017) |
| 04/26/2017 | <u>63</u> | ATTORNEY APPEARANCE: Paul J. Nicoletti appearing for Paul Nicoletti LIMITED APPEARANCE. (Nicoletti, Paul) (Entered: 04/26/2017) |
| 04/26/2017 | <u>64</u> | RESPONSE by Paul Nicoletti re <u>62</u> MOTION for Withdrawal of Attorney John Minock (Nicoletti, Paul) (Entered: 04/26/2017) |
| 04/27/2017 | | Set/Reset Deadlines re Motion in case as to Paul Nicoletti <u>62</u> MOTION for Withdrawal of Attorney John Minock. Motion Hearing set for 4/28/2017 02:00 PM before District Judge Victoria A. Roberts (CPin) (Entered: 04/27/2017) |
| 04/28/2017 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Motion Hearing as to Paul Nicoletti held on 4/28/2017 re <u>62</u> MOTION for Withdrawal of Attorney John Minock Disposition: Motion granted. (Court Reporter: Janice Coleman) (Defendant Attorney: John Minock) (AUSA: Craig Weier) (CPin) (Entered: 04/28/2017) |
| 05/02/2017 | <u>65</u> | ORDER APPOINTING FEDERAL DEFENDER as to Paul Nicoletti. Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 05/02/2017) |
| 05/03/2017 | | TEXT-ONLY NOTICE of CJA Attorney Appointment: Martin Crandall has accepted the appointment to represent Paul Nicoletti as of 5/2/2017 . (FDO Siefer, Miriam) (Entered: 05/03/2017) |

| | | |
|------------|-----------|---|
| 05/03/2017 | | Set/Reset Deadlines/Hearings as to Paul Nicoletti: Status Conference in Person set for 5/16/2017 02:00 PM before District Judge Victoria A. Roberts (CPin) (Entered: 05/03/2017) |
| 05/10/2017 | | TEXT-ONLY NOTICE of CJA Attorney Appointment: Michael Harrison has accepted the appointment to represent Paul Nicoletti as of 5/10/2017 (<i>Replaces Martin Crandall as assigned counsel</i>). (FDO Siefer, Miriam) (Entered: 05/10/2017) |
| 05/11/2017 | <u>66</u> | NOTICE OF ATTORNEY APPEARANCE: Michael J. Harrison appearing for Paul Nicoletti (Harrison, Michael) (Entered: 05/11/2017) |
| 05/12/2017 | <u>67</u> | Stipulation and Order Terminating Attorney in case as to Paul Nicoletti ; representation by attorney Martin E. Crandall as to Paul Nicoletti Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 05/12/2017) |
| 05/12/2017 | <u>68</u> | STIPULATED ORDER TO CONTINUE - Ends of Justice as to Paul Nicoletti Status Conference reset for 6/19/2017 11:00 AM before District Judge Victoria A. Roberts Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 05/12/2017) |
| 05/12/2017 | | TEXT-ONLY NOTICE: Jury Trial on 6/12/2017 is Cancelled as to Paul Nicoletti (CPin) (Entered: 05/12/2017) |
| 06/16/2017 | <u>69</u> | ORDER TO CONTINUE - Ends of Justice as to Paul Nicoletti Status Conference reset for 7/13/2017 09:30 AM before District Judge Victoria A. Roberts Signed by District Judge Victoria A. Roberts. Adjourned from 6/19/2017 (CPin) (Entered: 06/16/2017) |
| 06/28/2017 | | Reset Deadlines/Hearings as to Paul Nicoletti: Status Conference reset for 7/13/2017 at 1:30 PM before District Judge Victoria A. Roberts. PLEASE NOTE THIS IS A TIME CHANGE ONLY. (LVer) (Entered: 06/28/2017) |
| 07/12/2017 | | Reset Deadlines/Hearings as to Paul Nicoletti: Status Conference reset for 7/13/2017 at 3:00 PM before District Judge Victoria A. Roberts. PLEASE NOTE THIS IS A TIME CHANGE ONLY. (LVer) (Entered: 07/12/2017) |
| 07/13/2017 | | TEXT-ONLY NOTICE: Status Conference on 7/13/2017 is Cancelled as to Paul Nicoletti (CPin) (Entered: 07/13/2017) |
| 07/27/2017 | <u>70</u> | STIPULATION AND ORDER TO CONTINUE - Ends of Justice as to Paul Nicoletti Pre-Trial Motions due by 11/27/2017 Pretrial Conference set for 2/27/2018 02:00 PM before District Judge Victoria A. Roberts Jury Trial set for 3/19/2018 08:30 AM through 3/29/2018 before District Judge Victoria A. Roberts Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 07/27/2017) |
| 10/25/2017 | | Plea due by 2/27/2018 Pretrial conference/Plea Hearing set for 2/27/2018 02:00 PM before District Judge Victoria A. Roberts Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 10/25/2017) |
| 11/29/2017 | <u>71</u> | STIPULATION AND ORDER Extending Pre-Trial Motion Cut Off as to Paul Nicoletti, (Motions due by 12/11/2017) Signed by District Judge Victoria A. |

| | | |
|------------|-----------|---|
| | | Roberts. (CPin) (Entered: 11/29/2017) |
| 12/13/2017 | <u>72</u> | STIPULATION AND ORDER as to Paul Nicoletti, (Motions due by 12/29/2017; Responses on or before 1/12/2018; Replies on or before 1/19/2018) Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 12/13/2017) |
| 12/21/2017 | <u>73</u> | STIPULATION AND ORDER Modifying Conditions of Bond as to Paul Nicoletti Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 12/21/2017) |
| 01/05/2018 | <u>74</u> | STIPULATION AND ORDER TO CONTINUE - Ends of Justice as to Paul Nicoletti Motions due by 2/20/2018 Jury Trial reset for 7/17/2018 09:00 AM before District Judge Victoria A. Roberts Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 01/05/2018) |
| 01/09/2018 | | TEXT-ONLY NOTICE: Plea Cut off/Hearing on 2/27/2018 is Cancelled as to Paul Nicoletti (CPin) (Entered: 01/09/2018) |
| 02/20/2018 | <u>75</u> | MOTION STIPULATED MOTION FOR LEAVE TO ISSUE SUBPOENAS by Paul Nicoletti. (Harrison, Michael) (Entered: 02/20/2018) |
| 02/21/2018 | <u>76</u> | STIPULATED ORDER for Leave to Issue Subpoenas. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 02/21/2018) |
| 05/14/2018 | | Set/Reset Deadlines/Hearings as to Paul Nicoletti: Jury Trial set for 7/17/2018 08:30 AM before District Judge Victoria A. Roberts ROOM 716 (CPin) (Entered: 05/14/2018) |
| 06/11/2018 | | Set/Reset Deadlines/Hearings as to Paul Nicoletti: Emergency Pretrial Conference set for 6/13/2018 01:30 PM before District Judge Victoria A. Roberts ROOM 1080 (CPin) (Entered: 06/11/2018) |
| 06/12/2018 | | TEXT-ONLY NOTICE: Emergency Pretrial Conference on 6/13/2018 at 1:30 PM is Cancelled as to Paul Nicoletti (CPin) (Entered: 06/12/2018) |
| 06/12/2018 | | Set/Reset Deadlines/Hearings as to Paul Nicoletti: Status Conference reset for 6/28/2018 10:30 AM before District Judge Victoria A. Roberts ROOM 811 (CPin) (Entered: 06/12/2018) |
| 06/19/2018 | <u>77</u> | MOTION for Withdrawal of Attorney Michael Harrison by Paul Nicoletti. (Harrison, Michael) (Entered: 06/19/2018) |
| 06/19/2018 | | Set Deadline as to <u>77</u> MOTION for Withdrawal of Attorney Michael Harrison. Government's Response due by 6/25/2018; Motion Hearing set for 6/28/2018 at 10:30 AM before District Judge Victoria A. Roberts in Courtroom 811. (LVer) (Entered: 06/19/2018) |
| 06/22/2018 | <u>78</u> | RESPONSE by United States of America as to Paul Nicoletti re <u>77</u> MOTION for Withdrawal of Attorney Michael Harrison (Weier, Craig) (Entered: 06/22/2018) |
| 06/22/2018 | <u>79</u> | NOTICE OF ATTORNEY APPEARANCE: Paul J. Nicoletti appearing for |

| | | |
|------------|-----------|---|
| | | Paul Nicoletti <i>LIMITED APPEARANCE ONLY</i> (Nicoletti, Paul) (Entered: 06/22/2018) |
| 06/22/2018 | <u>80</u> | (STRICKEN) MOTION DISMISSAL BASED ON PROSECUTORIAL MISCONDUCT AND GRAND JURY ABUSE re <u>79</u> Notice of Attorney Appearance - Defendant , MOTION to Dismiss by Paul Nicoletti. (Nicoletti, Paul) Modified on 6/28/2018 (CPin). (Entered: 06/22/2018) |
| 06/22/2018 | <u>81</u> | (STRICKEN) SUPPLEMENTAL BRIEF re <u>80</u> MOTION DISMISSAL BASED ON PROSECUTORIAL MISCONDUCT AND GRAND JURY ABUSE re <u>79</u> Notice of Attorney Appearance - Defendant MOTION to Dismiss , <u>79</u> Notice of Attorney Appearance - Defendant by Paul Nicoletti (Attachments: # <u>1</u> Exhibit TILA, # <u>2</u> Exhibit NEW HOME, # <u>3</u> Exhibit MORTGAGE, # <u>4</u> Exhibit NOTE, # <u>5</u> Exhibit FDIC, # <u>6</u> Exhibit NMLS, # <u>7</u> Exhibit PUCKETT OPINION, # <u>8</u> Exhibit PUCKETT APPEAL BRIEF, # <u>9</u> Exhibit PUCKETT REPLY BRIEF, # <u>10</u> Exhibit NIC PRINTOUTS, # <u>11</u> Exhibit RESPONSE TO PRIOR WITHDRAW MOTION, # <u>12</u> Exhibit WEIER PHOTO) (Nicoletti, Paul) Modified on 6/28/2018 (CPin). (Entered: 06/22/2018) |
| 06/22/2018 | <u>82</u> | (STRICKEN) MOTION TO MODIFY BOND CONDITIONS re <u>79</u> Notice of Attorney Appearance - Defendant by Paul Nicoletti. (Nicoletti, Paul) Modified on 6/28/2018 (CPin). (Entered: 06/22/2018) |
| 06/22/2018 | <u>83</u> | RESPONSE by Paul Nicoletti re <u>77</u> MOTION for Withdrawal of Attorney Michael Harrison (Nicoletti, Paul) (Entered: 06/22/2018) |
| 06/25/2018 | <u>84</u> | MOTION to Strike <u>82</u> MOTION TO MODIFY BOND CONDITIONS re <u>79</u> Notice of Attorney Appearance - Defendant , <u>80</u> MOTION DISMISSAL BASED ON PROSECUTORIAL MISCONDUCT AND GRAND JURY ABUSE re <u>79</u> Notice of Attorney Appearance - Defendant MOTION to Dismiss , <u>81</u> Supplemental Brief,, by United States of America as to Paul Nicoletti. (Weier, Craig) (Entered: 06/25/2018) |
| 06/27/2018 | <u>85</u> | NOTICE OF ATTORNEY APPEARANCE: Paul J. Nicoletti appearing for Paul Nicoletti <i>REVISED</i> (Nicoletti, Paul) (Entered: 06/27/2018) |
| 06/27/2018 | <u>86</u> | RESPONSE by Paul Nicoletti re <u>84</u> MOTION to Strike <u>82</u> MOTION TO MODIFY BOND CONDITIONS re <u>79</u> Notice of Attorney Appearance - Defendant , <u>80</u> MOTION DISMISSAL BASED ON PROSECUTORIAL MISCONDUCT AND GRAND JURY ABUSE re <u>79</u> Notice of Attorney Appearance - Defendant (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F) (Nicoletti, Paul) (Entered: 06/27/2018) |
| 06/28/2018 | <u>87</u> | ORDER to Strike Motions as to Paul Nicoletti: <u>82</u> MOTION TO MODIFY BOND CONDITIONS re <u>79</u> Notice of Attorney Appearance - Defendant filed by Paul Nicoletti, <u>80</u> MOTION DISMISSAL BASED ON PROSECUTORIAL MISCONDUCT AND GRAND JURY ABUSE re <u>79</u> Notice of Attorney Appearance - Defendant MOTION to Dismiss filed by Paul Nicoletti. Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 06/28/2018) |

| | | |
|------------|-----------|--|
| | | 06/28/2018) |
| 06/28/2018 | | TEXT-ONLY CERTIFICATE OF SERVICE re <u>87</u> Order to Strike Motions, as to Paul Nicoletti. Documents mailed to Paul J. Nicoletti at 33717 Woodward Ave., Ste 433, Birmingham, MI 48009. (CPin) (Entered: 06/28/2018) |
| 06/28/2018 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Motion Hearing as to Paul Nicoletti held on 6/28/2018 re <u>77</u> MOTION for Withdrawal of Attorney Michael Harrison, <u>84</u> MOTION to Strike <u>82</u> MOTION TO MODIFY BOND CONDITIONS re <u>79</u> Notice of Attorney Appearance - Defendant , <u>80</u> MOTION DISMISSAL BASED ON PROSECUTORIAL MISCONDUCT AND GRAND JURY ABUSE re <u>79</u> Notice of Attorney Appearance - Defendan Disposition: Motion For Withdrawal of Attorney granted; Motion to Strike moot. (Court Reporter: Janice Coleman) (Defendant Attorney: Michael J. Harrison) (AUSA: Craig Weier) (CPin) (Entered: 06/28/2018) |
| 06/28/2018 | <u>88</u> | ORDER APPOINTING FEDERAL DEFENDER as to Paul Nicoletti. Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 06/28/2018) |
| 06/29/2018 | | TEXT-ONLY NOTICE of CJA Attorney Appointment: James C. Howarth has accepted the appointment to represent Paul Nicoletti (<i>Substitution for Michael Harrison</i>). (FDO Siefer, Miriam) (Entered: 06/29/2018) |
| 07/02/2018 | | Set/Reset Deadlines/Hearings as to Paul Nicoletti: Status Conference set for 7/12/2018 02:00 PM before District Judge Victoria A. Roberts ROOM 1080 (CPin) (Entered: 07/02/2018) |
| 07/02/2018 | | TEXT-ONLY NOTICE: Jury Trial on 7/17/2018 is Cancelled as to Paul Nicoletti (CPin) (Entered: 07/02/2018) |
| 07/03/2018 | | Set Hearing as to Paul Nicoletti: Status Conference set for 7/11/2018 at 9:00 AM before District Judge Victoria A. Roberts in Courtroom 1080. (LVer) (Entered: 07/03/2018) |
| 07/11/2018 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Status Conference as to Paul Nicoletti held on 7/11/2018.(Court Reporter: Janice Coleman) (Defendant Attorney: James Howarth) (AUSA: Craig Weier) (LVer) (Entered: 07/11/2018) |
| 07/20/2018 | <u>89</u> | STIPULATION AND ORDER TO CONTINUE - Ends of Justice as to Paul Nicoletti Pretrial Conference set for 9/5/2018 02:00 PM before District Judge Victoria A. Roberts Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 07/20/2018) |
| 08/10/2018 | <u>90</u> | (RETITLED AS A MOTION PER JUDGE ROBERTS' ORAL ORDER DURING 9/5/2018 HEARING) MEMORANDUM <i>As to Right to File Motion to Dismiss Pursuant to Fed. R. Crim. P. 12 and Certificate of Service</i> by Paul Nicoletti. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> |

| | | |
|------------|------------|---|
| | | Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15) (Howarth, James) Modified on 9/5/2018 (CPin). (Entered: 08/10/2018) |
| 08/15/2018 | <u>95</u> | ORDER Requiring Response. Defendant's Reply due by 8/24/2018. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 08/15/2018) |
| 08/31/2018 | <u>96</u> | REPLY to <i>Government's Memorandum Regarding Defendant's Request to File Motion to Dismiss After Motion Cut-Off Date and Certificate of Service</i> by Paul Nicoletti (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A) (Howarth, James) (Entered: 08/31/2018) |
| 09/05/2018 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Pretrial Conference as to Paul Nicoletti held on 9/5/2018(Court Reporter: Janice Coleman) (Defendant Attorney: James Howarth) (AUSA: Craig Weier) (CPin) (Entered: 09/05/2018) |
| 09/06/2018 | <u>97</u> | ORDER Denying <u>90</u> Defendant's Motion to Dismiss. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 09/06/2018) |
| 09/13/2018 | <u>98</u> | STIPULATION ADND ORDER TO CONTINUE - Ends of Justice as to Paul Nicoletti Pretrial Conference set for 12/17/2018 02:00 PM before District Judge Victoria A. Roberts Plea due by 12/17/2018 Jury Trial set for 2/21/2019 09:00 AM before District Judge Victoria A. Roberts Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 09/13/2018) |
| 09/20/2018 | <u>99</u> | MOTION for Reconsideration re <u>97</u> Order on Motion for Leave to File <i>and Certificate of Service</i> by Paul Nicoletti. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B) (Howarth, James) (Entered: 09/20/2018) |
| 09/21/2018 | | TEXT-ONLY ORDER Requiring Response re <u>99</u> MOTION for Reconsideration re <u>97</u> Order on Motion for Leave to File <i>and Certificate of Service</i> filed by Paul Nicoletti., (Response due by 10/5/2018) Signed by District Judge Victoria A. Roberts. (CPin) (Entered: 09/21/2018) |
| 09/26/2018 | <u>100</u> | TRANSCRIPT of Status Conference held on 9/5/18 as to Paul Nicoletti. (Court Reporter/Transcriber: Janice Coleman) (Number of Pages: 19) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 10/17/2018. Redacted Transcript Deadline set for 10/29/2018. Release of Transcript Restriction set for 12/26/2018. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber at www.transcriptorders.com before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Coleman, J.) (Entered: 09/26/2018) |
| 10/02/2018 | <u>101</u> | RESPONSE by United States of America as to Paul Nicoletti re <u>99</u> MOTION for Reconsideration re <u>97</u> Order on Motion for Leave to File <i>and Certificate of Service</i> (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3) (Weier, Craig) (Entered: 10/02/2018) |
| 10/09/2018 | <u>102</u> | ORDER Denying <u>99</u> Motion for Reconsideration. Signed by District Judge |

| | | |
|------------|------------|--|
| | | Victoria A. Roberts. (LVer) (Entered: 10/09/2018) |
| 11/14/2018 | <u>103</u> | TRANSCRIPT of Motion to Withdraw Attorney held on 6/28/18 as to Paul Nicoletti. (Court Reporter/Transcriber: Janice Coleman) (Number of Pages: 13) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 12/5/2018. Redacted Transcript Deadline set for 12/17/2018. Release of Transcript Restriction set for 2/12/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber at www.transcriptorders.com before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Coleman, J.) (Entered: 11/14/2018) |
| 11/14/2018 | <u>104</u> | TRANSCRIPT of Status Conference held on 7/11/18 as to Paul Nicoletti. (Court Reporter/Transcriber: Janice Coleman) (Number of Pages: 13) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 12/5/2018. Redacted Transcript Deadline set for 12/17/2018. Release of Transcript Restriction set for 2/12/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber at www.transcriptorders.com before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Coleman, J.) (Entered: 11/14/2018) |
| 11/29/2018 | <u>105</u> | MOTION to Adjourn <i>Trial Date, Brief in Support and Certificate of Service</i> by Paul Nicoletti. (Howarth, James) (Entered: 11/29/2018) |
| 12/07/2018 | <u>106</u> | RESPONSE by United States of America as to Paul Nicoletti re <u>105</u> MOTION to Adjourn <i>Trial Date, Brief in Support and Certificate of Service</i> (Weier, Craig) (Entered: 12/07/2018) |
| 12/14/2018 | <u>107</u> | REPLY TO RESPONSE by Paul Nicoletti re <u>105</u> MOTION to Adjourn <i>Trial Date, Brief in Support and Certificate of Service and Certificate of Service</i> (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A) (Howarth, James) (Entered: 12/14/2018) |
| 12/17/2018 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Motion Hearing and Status Conference as to Paul Nicoletti held on 12/17/2018 re <u>105</u> MOTION to Adjourn Trial Date held on 12/17/2018. Disposition: Motion denied for reasons stated on the record. (Court Reporter: Janice Coleman) (Defendant Attorney: James Howarth) (AUSA: Craig Weier) (LVer) (Entered: 12/17/2018) |
| 12/18/2018 | <u>108</u> | CRIMINAL TRIAL NOTICE AND STANDING ORDER REGARDING TRIAL as to Paul Nicoletti: Motions in Limine due by 2/7/2019; Responses to Motions in Limine due 2/14/19; Jury Trial set for 2/21/2019 at 9:00 AM before District Judge Victoria A. Roberts. Signed by District Judge Victoria A. Roberts. (See image for details and dates) (LVer) (Entered: 12/18/2018) |

02/07/2019 02:02:00 PM
 02/12/2019 02:02:00 PM
 02/12/2019 02:02:00 PM
 03/15/2019 02:02:00 PM
 03/22/2019 02:02:00 PM
 03/29/2019 02:02:00 PM
 03/29/2019 02:02:00 PM
 04/02/2019 02:02:00 PM
 04/05/2019 02:02:00 PM
 04/12/2019 02:02:00 PM
 04/19/2019 02:02:00 PM
 04/19/2019 02:02:00 PM
 04/23/2019 02:02:00 PM

| | | |
|------------|------------|---|
| 02/07/2019 | <u>109</u> | MOTION in Limine <i>TO BAR DEFENDANTS HOPES AND DREAMS EVIDENCE</i> by United States of America as to Paul Nicoletti. (Weier, Craig) (Entered: 02/07/2019) |
| 02/12/2019 | <u>110</u> | ORDER TO CONTINUE - Ends of Justice as to Paul Nicoletti: Jury Trial set for 4/29/2019 at 9:00 AM before District Judge Victoria A. Roberts. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 02/12/2019) |
| 02/12/2019 | <u>111</u> | AMENDED TRIAL NOTICE AND STANDING ORDER RE: TRIAL as to Paul Nicoletti: Motion in Limine due by 4/12/2019, Responses to Motions in Limine due 4/19/19, Jury Trial set for 4/29/2019 at 9:00 AM before District Judge Victoria A. Roberts. Signed by District Judge Victoria A. Roberts. (see order for details and dates) (LVer) (Entered: 02/12/2019) |
| 03/15/2019 | <u>112</u> | RESPONSE by Paul Nicoletti re <u>109</u> MOTION in Limine <i>TO BAR DEFENDANTS HOPES AND DREAMS EVIDENCE and Certificate of Service</i> (Howarth, James) (Entered: 03/15/2019) |
| 03/22/2019 | <u>113</u> | ATTORNEY APPEARANCE: John K. Neal appearing on behalf of United States of America as to Paul Nicoletti . (Neal, John) (Entered: 03/22/2019) |
| 03/29/2019 | <u>114</u> | Amended MOTION in Limine <i>to bar Defendant's "Hopes and Dreams" Evidence</i> by United States of America as to Paul Nicoletti. (Weier, Craig) (Entered: 03/29/2019) |
| 03/29/2019 | <u>115</u> | REPLY TO RESPONSE by United States of America as to Paul Nicoletti re <u>109</u> MOTION in Limine <i>TO BAR DEFENDANTS HOPES AND DREAMS EVIDENCE</i> (Weier, Craig) (Entered: 03/29/2019) |
| 04/02/2019 | <u>116</u> | ORDER Granting <u>114</u> Motion in Limine as to Paul Nicoletti (1). Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 04/02/2019) |
| 04/05/2019 | <u>117</u> | MOTION in Limine <i>to Bar Evidence, Examination and Argument Suggesting That the Uninsured Status of Fifth Third Mortgage Michigan, LLC Precludes a Finding of Guilt</i> by United States of America as to Paul Nicoletti. (Weier, Craig) (Entered: 04/05/2019) |
| 04/12/2019 | <u>118</u> | MOTION in Limine <i>to Prevent the Use of Government Wire Taps of Telephone Conversations of Defendant Paul Nicoletti and Certificate of Service</i> by Paul Nicoletti. (Howarth, James) (Entered: 04/12/2019) |
| 04/19/2019 | <u>119</u> | RESPONSE by United States of America as to Paul Nicoletti re <u>118</u> MOTION in Limine <i>to Prevent the Use of Government Wire Taps of Telephone Conversations of Defendant Paul Nicoletti and Certificate of Service</i> (Neal, John) (Entered: 04/19/2019) |
| 04/19/2019 | <u>120</u> | RESPONSE by Paul Nicoletti re <u>117</u> MOTION in Limine <i>to Bar Evidence, Examination and Argument Suggesting That the Uninsured Status of Fifth Third Mortgage Michigan, LLC Precludes a Finding of Guilt and Certificate of Service</i> (Howarth, James) (Entered: 04/19/2019) |
| 04/23/2019 | <u>121</u> | EXHIBIT LIST by Paul Nicoletti (Howarth, James) (Entered: 04/23/2019) |

| | | |
|------------|------------|---|
| 04/24/2019 | <u>122</u> | OBJECTION to <u>121</u> Exhibit List by United States of America as to Paul Nicoletti (Weier, Craig) (Entered: 04/24/2019) |
| 04/25/2019 | <u>123</u> | EXHIBIT LIST by Paul Nicoletti (Howarth, James) Modified on 4/26/2019 (DWor). [AMENDED] (Entered: 04/25/2019) |
| 04/26/2019 | <u>124</u> | EXHIBIT LIST by Paul Nicoletti (Howarth, James) (Entered: 04/26/2019) |
| 04/26/2019 | <u>125</u> | ORDER Denying <u>118</u> Motion in Limine to Prevent the Use of Government Wiretaps of Telephone Conversations of Defendant. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 04/26/2019) |
| 04/26/2019 | <u>126</u> | OBJECTION to <u>124</u> Exhibit List by United States of America as to Paul Nicoletti (Neal, John) (Entered: 04/26/2019) |
| 04/26/2019 | <u>127</u> | ORDER Denying <u>117</u> Government's Motion in Limine To Bar Evidence, Examination, And Argument Suggesting That The Uninsured Status of Fifth Third Mortgage MI LLC Precludes A Finding of Guilt. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 04/26/2019) |
| 04/26/2019 | <u>128</u> | ORDER Denying <u>117</u> Government's Motion in Limine to Bar Evidence, Examination and Argument Suggesting That the Uninsured Status of Fifth Third Mortgage Michigan, LLC Precludes a Finding of Guilt. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 04/26/2019) |
| 04/27/2019 | <u>129</u> | ORDER Concerning Defense Exhibits as to Paul Nicoletti. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 04/27/2019) |
| 04/27/2019 | <u>130</u> | MOTION For Clarification Of Court's Order <i>on Government Motion in Limine</i> by United States of America as to Paul Nicoletti. (Neal, John) (Entered: 04/27/2019) |
| 04/29/2019 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Motion Hearing as to Paul Nicoletti held on 4/29/2019 re <u>130</u> MOTION For Clarification Of Court's Order <i>on Government Motion in Limine</i> . Disposition: Motion granted. (Court Reporter: Suzanne Jacques) (Defendant Attorney: James Howarth) (AUSA: Craig Weier and John Neal) (LVer) (Entered: 04/29/2019) |
| 04/29/2019 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Voir Dire Begun and Concluded and Jury Impaneled on 4/29/2019 as to Paul Nicoletti. Jury Trial continued to 4/30/2019 at 8:30 AM in Courtroom 811, before District Judge Victoria A. Roberts. (Court Reporter: Suzanne Jacques) (Defendant Attorney: James Howarth) (AUSA: Craig Weier and John Neal) (LVer) (Entered: 04/29/2019) |
| 04/30/2019 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Jury Trial Begun and Continued as to Paul Nicoletti on 4/30/2019. Jury Trial continued to 5/1/2019 8:30 AM before District Judge Victoria A. Roberts in Courtroom 811. (Court Reporter: Suzanne Jacques) (Defendant Attorney: James Howarth) (AUSA: Craig Weier and John Neal) (LVer) (Entered: 04/30/2019) |

| | | |
|------------|------------|--|
| 05/01/2019 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Jury Trial Held and Continued as to Paul Nicoletti on 5/1/2019. Jury Trial set for 5/2/2019 at 8:30 AM before District Judge Victoria A. Roberts. (Court Reporter: Janice Coleman and Suzanne Jacques) (Defendant Attorney: James Howarth) (AUSA: Craig Weier and John Neal) (LVer) (Entered: 05/01/2019) |
| 05/02/2019 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Jury Trial Held and Continued as to Paul Nicoletti on 5/2/2019. Jury Trial set for 5/3/2019 at 9:15 AM before District Judge Victoria A. Roberts. (Court Reporter: Suzanne Jacques) (Defendant Attorney: James Howarth) (AUSA: Craig Weier and John Neal) (LVer) (Entered: 05/02/2019) |
| 05/03/2019 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Jury Trial Held and Continued as to Paul Nicoletti on 5/3/2019. Jury Trial continued to 5/6/2019 at 8:30 AM before District Judge Victoria A. Roberts. (Court Reporter: Suzanne Jacques) (Defendant Attorney: James Howarth) (AUSA: Craig Weier and John Neal) (LVer) (Entered: 05/03/2019) |
| 05/03/2019 | | ORAL MOTION for Directed Verdict by Paul Nicoletti. (LVer) (Entered: 05/03/2019) |
| 05/03/2019 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Motion Hearing as to Paul Nicoletti held on 5/3/2019 re ORAL MOTION for Directed Verdict. Disposition: Motion denied for the reasons stated on the record. (Court Reporter: Suzanne Jacques) (Defendant Attorney: James Howarth) (AUSA: Craig Weier and John Neal) (LVer) (Entered: 05/03/2019) |
| 05/06/2019 | <u>131</u> | Proposed Jury Instructions by Paul Nicoletti (Howarth, James) (Entered: 05/06/2019) |
| 05/06/2019 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Jury Trial Held and Continued as to Paul Nicoletti on 5/6/2019. Jury Trial continued for 5/7/2019 at 9:15 AM before District Judge Victoria A. Roberts. (Court Reporter: Suzanne Jacques) (Defendant Attorney: James Howarth) (AUSA: Craig Weier and John Neal) (LVer) (Entered: 05/06/2019) |
| 05/07/2019 | | ORAL RENEWED MOTION For Directed Verdict by Paul Nicoletti. (LVer) (Entered: 05/07/2019) |
| 05/07/2019 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Motion Hearing as to Paul Nicoletti held on 5/7/2019 re ORAL RENEWED MOTION for Directed Verdict. Disposition: Motion denied for the reasons stated on the record. (Court Reporter: Suzanne Jacques) (Defendant Attorney: James Howarth) (AUSA: Craig Weier and John Neal) (LVer) (Entered: 05/07/2019) |
| 05/07/2019 | <u>133</u> | Jury Verdict Form as to Paul Nicoletti (DPer) (Entered: 05/07/2019) |
| 05/07/2019 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Jury Trial Held and Completed as to Paul Nicoletti on 5/7/2019. Jury Deliberation also held. JURY VERDICT as to Paul Nicoletti (1) Guilty on Count 1,2-4. (Court Reporter: Suzanne Jacques and Merilyn Jones) (Defendant Attorney: |

2020/03/17 10:02:01 AM

| | | |
|------------|------------|---|
| | | James Howarth) (AUSA: Craig Weier and John Neal) (LVer) (Entered: 05/07/2019) |
| 05/07/2019 | | Set Hearings as to Paul Nicoletti: Sentencing set for 9/24/2019 at 2:00 PM before District Judge Victoria A. Roberts in Courtroom 1080. Sentencing memorandums due: 9/4/19. (LVer) (Entered: 05/07/2019) |
| 05/14/2019 | <u>134</u> | STIPULATED ORDER to Allow Travel Outside the Eastern District of Michigan. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 05/14/2019) |
| 05/14/2019 | <u>135</u> | ORDER on Petition for Action on Conditions of Pretrial Release - Bond Conditions Modified to Include: restricted travel to the Eastern District of Michigan, defendant must notify the State Bar of Michigan of his conviction by June 30, 2019, defendant must refrain from the practice of law in the United States and defendant must execute release for medical records. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 05/14/2019) |
| 05/15/2019 | <u>136</u> | TRANSCRIPT of Excerpt of Jury Trial Proceedings - Testimony of Al Cliffel held on 4/30/2019 as to Paul Nicoletti. (Court Reporter/Transcriber: Suzanne Jacques) (Number of Pages: 22) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 6/5/2019. Redacted Transcript Deadline set for 6/17/2019. Release of Transcript Restriction set for 8/13/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Jacques, S.) (Entered: 05/15/2019) |
| 05/20/2019 | <u>137</u> | STIPULATION AND ORDER for substitution of attorneys as to Paul Nicoletti. Signed by District Judge Victoria A. Roberts. (DPer) (Entered: 05/20/2019) |
| 05/22/2019 | <u>138</u> | STIPULATION AND ORDER to Extend Time In Which to File Motion for Judgment of Acquittal as to Paul Nicoletti. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 05/22/2019) |
| 06/18/2019 | <u>139</u> | MOTION for Judgment of Acquittal <i>Pursuant to Rule 29(c)</i> by Paul Nicoletti. (Stablein, Paul) (Entered: 06/18/2019) |
| 07/01/2019 | <u>140</u> | STIPULATION AND ORDER To Extend Time In Which to File A Response to Defendant's Motion for Judgment of Acquittal. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 07/01/2019) |
| 07/15/2019 | <u>141</u> | TRANSCRIPT of Excerpt of Jury Trial Proceedings - Rule 29 Motion held on 5/3/2019 as to Paul Nicoletti. (Court Reporter: Suzanne Jacques) (Number of Pages: 12) The parties have 21 days to file with the court and Court Reporter a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 8/5/2019. Redacted Transcript Deadline set |

| | | |
|------------|------------|--|
| | | for 8/15/2019. Release of Transcript Restriction set for 10/15/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Jacques, S.) (Entered: 07/15/2019) |
| 07/15/2019 | <u>142</u> | TRANSCRIPT of Excerpt of Jury Trial Proceedings - Renewed Rule 29 Motion held on 5/7/2019 as to Paul Nicoletti. (Court Reporter: Suzanne Jacques) (Number of Pages: 4) The parties have 21 days to file with the court and Court Reporter a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 8/5/2019. Redacted Transcript Deadline set for 8/15/2019. Release of Transcript Restriction set for 10/15/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Jacques, S.) (Entered: 07/15/2019) |
| 07/17/2019 | <u>143</u> | STIPULATION AND ORDER Extending Time In Which to File A Response to Defendant's Motion for Judgment of Acquittal. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 07/17/2019) |
| 07/17/2019 | <u>144</u> | STIPULATION AND ORDER To Extend Time In Which To File A Response to Defendant's Motion for Judgment of Acquittal. Response due: 8/2/19; Reply due: 8/9/19. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 07/17/2019) |
| 07/29/2019 | <u>145</u> | RESPONSE by United States of America as to Paul Nicoletti re <u>139</u> MOTION for Judgment of Acquittal <i>Pursuant to Rule 29(c)</i> (Weier, Craig) (Entered: 07/29/2019) |
| 08/02/2019 | <u>146</u> | TRANSCRIPT of Excerpt of Jury Trial (Testimony of Paul Nicoletti) held on 5/6/2019 as to Paul Nicoletti. (Court Reporter: Suzanne Jacques (email: jacques@transcriptorders.com)) (Number of Pages: 135) The parties have 21 days to file with the court and Court Reporter a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 8/23/2019. Redacted Transcript Deadline set for 9/3/2019. Release of Transcript Restriction set for 10/31/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Jacques, S.) (Entered: 08/02/2019) |
| 08/09/2019 | <u>147</u> | REPLY TO RESPONSE by Paul Nicoletti re <u>139</u> MOTION for Judgment of Acquittal <i>Pursuant to Rule 29(c)</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C) (Stablein, Paul) (Entered: 08/09/2019) |
| 08/09/2019 | <u>148</u> | MOTION for Leave to File Excess Pages <i>for Reply Brief</i> by Paul Nicoletti. (Stablein, Paul) (Entered: 08/09/2019) |
| | | |

08/22/2019 08:22:00 PM

| | | |
|------------|------------|---|
| 08/12/2019 | | TEXT-ONLY ORDER Granting <u>148</u> MOTION for Leave to File Excess Pages for <i>Reply Brief</i> filed by Paul Nicoletti. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 08/12/2019) |
| 08/13/2019 | | Set Deadlines regarding Motion for Judgment of Acquittal: Government's Sur-reply due by: 10:00 am on 8/20/19. (LVer) (Entered: 08/13/2019) |
| 08/15/2019 | | Set Deadlines regarding Motion for Judgment of Acquittal: Government's Sur-reply due: 9/13/19; Defendant's Response to Sur-reply due: 9/25/19. (LVer) (Entered: 08/15/2019) |
| 08/21/2019 | <u>149</u> | TRANSCRIPT of Excerpt of Jury Trial - Vol. 3, Session 1 held on May 1, 2019 as to Paul Nicoletti. (Court Reporter/Transcriber: Janice Coleman) (Number of Pages: 116) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/11/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/19/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber at www.transcriptorders.com before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Coleman, J.) (Entered: 08/21/2019) |
| 08/22/2019 | <u>150</u> | TRANSCRIPT of Jury Trial Vol. 5 Session 2 held on 5/3/2019 as to Paul Nicoletti. (Court Reporter/Transcriber: Suzanne Jacques (email: jacques@transcriptorders.com) (Number of Pages: 43) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/12/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/20/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Jacques, S.) (Entered: 08/22/2019) |
| 08/22/2019 | <u>151</u> | TRANSCRIPT of Excerpt of Jury Trial Volume 6 (Witness Surab Deb) held on 5/6/2019 as to Paul Nicoletti. (Court Reporter/Transcriber: Suzanne Jacques (email: jacques@transcriptorders.com) (Number of Pages: 12) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/12/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/20/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Jacques, S.) (Entered: 08/22/2019) |
| | | |

2020/03/17 15:07:00

| | | |
|------------|------------|--|
| 08/22/2019 | <u>152</u> | TRANSCRIPT of Excerpt of Jury Trial Volume 5 (Witness Taylor) held on 5/3/2019 as to Paul Nicoletti. (Court Reporter/Transcriber: Suzanne Jacques (email: jacques@transcriptorders.com) (Number of Pages: 53) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/12/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/20/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Jacques, S.) (Entered: 08/22/2019) |
| 08/22/2019 | <u>153</u> | TRANSCRIPT of Excerpt of Jury Trial Volume 4 (Witnesses Glover, S. Lucia, A. Lucia) held on 5/2/2019 as to Paul Nicoletti. (Court Reporter/Transcriber: Suzanne Jacques (email: jacques@transcriptorders.com) (Number of Pages: 166) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/12/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/20/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Jacques, S.) (Entered: 08/22/2019) |
| 08/22/2019 | <u>154</u> | TRANSCRIPT of Jury Trial Volume 3 Session 2 (Witnesses Flynn, Ruiz-Turon) held on 5/1/2019 as to Paul Nicoletti. (Court Reporter/Transcriber: Suzanne Jacques (email: jacques@transcriptorders.com) (Number of Pages: 48) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/12/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/20/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Jacques, S.) (Entered: 08/22/2019) |
| 08/22/2019 | <u>155</u> | TRANSCRIPT of Excerpt of Jury Trial Volume 2 (Witness Lyon) held on 4/30/201 as to Paul Nicoletti. (Court Reporter/Transcriber: Suzanne Jacques (email: jacques@transcriptorders.com) (Number of Pages: 32) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/12/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/20/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. |

| | | |
|------------|------------|---|
| | | After that date, the transcript is publicly available. (Jacques, S.) (Entered: 08/22/2019) |
| 08/22/2019 | <u>156</u> | TRANSCRIPT of Excerpt of Jury Trial Volume 2 (Witness Hance) held on 4/30/2019 as to Paul Nicoletti. (Court Reporter/Transcriber: Suzanne Jacques (email: jacques@transcriptorders.com) (Number of Pages: 65) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/12/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/20/2019. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Jacques, S.) (Entered: 08/22/2019) |
| 09/10/2019 | <u>157</u> | STIPULATION AND ORDER to Extend Time In Which to Submit Objections to Presentence Investigation Report, File Sentencing Memoranda and Continue Date of Sentencing. Sentencing set for 12/12/2019 at 3:00 PM before District Judge Victoria A. Roberts in Courtroom 1080. Signed by District Judge Victoria A. Roberts. (see order for details and dates) (LVer) (Entered: 09/10/2019) |
| 09/11/2019 | <u>158</u> | REPLY TO RESPONSE by United States of America as to Paul Nicoletti re <u>139</u> MOTION for Judgment of Acquittal <i>Pursuant to Rule 29(c) SUR REPLY AND BRIEF IN OPPOSITION TO DEFENDANTS MOTION FOR JUDGMENT OF ACQUITTAL</i> (Weier, Craig) (Entered: 09/11/2019) |
| 09/25/2019 | | Reset Deadlines re Motion <u>139</u> MOTION for Judgment of Acquittal <i>Pursuant to Rule 29(c)</i> . Defendant's Response to Sur-Reply due by 9/26/2019. (LVer) (Entered: 09/25/2019) |
| 09/27/2019 | <u>159</u> | REPLY TO RESPONSE by Paul Nicoletti re <u>139</u> MOTION for Judgment of Acquittal <i>Pursuant to Rule 29(c)</i> (Stablein, Paul) (Entered: 09/27/2019) |
| 10/08/2019 | <u>160</u> | STIPULATION AND ORDER To Allow Out of State Travel. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 10/08/2019) |
| 10/09/2019 | <u>161</u> | ORDER Denying <u>139</u> Motion for Acquittal as to Paul Nicoletti. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 10/09/2019) |
| 11/24/2019 | | Reset Deadlines/Hearings as to Paul Nicoletti: Sentencing reset for 1/30/2020 at 2:00 PM before District Judge Victoria A. Roberts in Courtroom 1080. Government's sentencing memorandum or motion due: 1/9/2020; Defendant's sentencing memorandum or motion due: 1/16/2020. (LVer) (Entered: 11/24/2019) |
| 12/17/2019 | <u>162</u> | STIPULATION AND ORDER to Modify Condition of Release and To Allow Out of State Travel. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 12/17/2019) |
| 01/17/2020 | <u>165</u> | STIPULATION AND ORDER to Extend Time In Which to Submit |

| | | |
|------------|------------|--|
| | | Sentencing Memorandum. Signed by District Judge Victoria A. Roberts. (LVer) (Entered: 01/17/2020) |
| 01/21/2020 | <u>166</u> | SENTENCING MEMORANDUM by Paul Nicoletti (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (Stablein, Paul) (Entered: 01/21/2020) |
| 01/30/2020 | | Minute Entry for proceedings before District Judge Victoria A. Roberts: Sentencing held as to Paul Nicoletti. (Court Reporter: Janice Coleman) (Defendant Attorney: Paul Stablein) (AUSA: Craig Weier, John Neal) (LVer) (Entered: 01/30/2020) |
| 02/03/2020 | <u>168</u> | JUDGMENT as to Paul Nicoletti. Signed by District Judge Victoria A. Roberts. (DPer) (Entered: 02/03/2020) |

Case #: 2:15-cr-20382-VAR-MKM-1

UNITED STATES DISTRICT COURT
Eastern District Of Michigan

UNITED STATES OF AMERICA

v.

PAUL NICOLETTI

§ JUDGMENT IN A CRIMINAL CASE

§

§

§ Case Number: 0645 2:15CR20382 (1)

§ USM Number: 55819-039

§ Paul Stablein

§ Defendant's Attorney

THE DEFENDANT:

| | | |
|-------------------------------------|---|---------------------------------|
| <input type="checkbox"/> | pleaded guilty to count(s) | |
| <input type="checkbox"/> | pleaded nolo contendere to count(s) which was accepted by the court | |
| <input checked="" type="checkbox"/> | was found guilty on count(s) after a plea of not guilty | Counts 1, 2-4 of the Indictment |

The defendant is adjudicated guilty of these offenses:

Title & Section / Nature of Offense

18 U.S.C. § 1349 and 18 U.S.C. § 1344, Bank Fraud Conspiracy,
18 U.S.C. § 1344 and 18 U.S.C. § 2, Bank Fraud Aiding and Abetting
18 U.S.C. § 1344 and 18 U.S.C. § 2, Bank Fraud Aiding and Abetting
18 U.S.C. § 1344 and 18 U.S.C. § 2, Bank Fraud Aiding and Abetting

Offense Ended

November 2005
August 30, 2005
October 5, 2005
October 21, 2005

Count

1
2
3
4

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s)
☐ Count(s) ☐ is ☐ are dismissed on the motion of the United States

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

01/30/2020

Date of Imposition of Judgment

s/Victoria A. Roberts

Signature of Judge

VICTORIA A. ROBERTS
UNITED STATES DISTRICT JUDGE

Name and Title of Judge

2/3/2020

Date

I hereby certify that the foregoing is
a true copy of the original on file in this
Office.

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

BY: 

De

ATTACHMENT B

DEFENDANT: Paul Nicoletti
CASE NUMBER: 0645 2:15CR20382 (1)

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: 70 months, all counts to run concurrently. While in custody, the defendant shall participate in the Inmate Financial Responsibility Program (IFRP). The Court waives the cost of incarceration.

☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at ☐ a.m. ☐ p.m. on

☐ as notified by the United States Marshal.

☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on

☒ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By
DEPUTY UNITED STATES MARSHAL

DEFENDANT: Paul Nicoletti
CASE NUMBER: 0645 2:15CR20382 (1)

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of : 2 years on each count, all counts to run concurrent. The Court waives the cost of supervision.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
☒ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☒ You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. ☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

DEFENDANT: Paul Nicoletti
CASE NUMBER: 0645 2:15CR20382 (1)

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. I understand additional information regarding these conditions is available at the www.uscourts.gov.

Defendant's Signature _____

Date _____

DEFENDANT: Paul Nicoletti
CASE NUMBER: 0645 2:15CR20382 (1)

SPECIAL CONDITIONS OF SUPERVISION

1. You must submit to a psychological/psychiatric evaluation as directed by the probation officer, if necessary.
2. You must participate in a mental health treatment program and follow the rules and regulations of that program, if necessary. The probation officer in consultation with the treatment provider, will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
3. If the judgment imposes a financial penalty, you must pay the financial penalty in accordance with the Schedule of Payments sheet of this judgment. You must also notify the court of any changes in economic circumstances that might affect the ability to pay this financial penalty.
4. You must provide the probation officer with access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the U.S. Attorney's Office.
5. You must not incur new credit charges or open additional lines of credit without the approval of the probation officer.

DEFENDANT: Paul Nicoletti
CASE NUMBER: 0645 2:15CR20382 (1)

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

| | <u>Assessment</u> | <u>JVTA Assessment*</u> | <u>Fine</u> | <u>Restitution</u> |
|---------------|-------------------|-------------------------|-------------|--------------------|
| TOTALS | \$400.00 | N/A | N/A | \$5,478,751.58 |

- ☐ The determination of restitution is deferred until *An Amended Judgment in a Criminal Case (AO245C)* will be entered after such determination.
- ☒ The defendant must make restitution (including community restitution) to the following payees in the amount listed below. It is the order of the Court that Fifth Third Bank be paid restitution first:

| <u>Victim Name</u> | <u>Amount of Loss</u> |
|---|-----------------------|
| Fifth Third Bank 5001 Kingsley Drive MD 1MOB23-3870 Cincinnati, OH 45263 | \$1,257,751.58 |
| Chubb Insurance Fifth Avenue Place 120 Fifth Avenue Pittsburg, PA 15222 | \$2,021,000.00 |
| First American Title Recovery | \$2,200,000.00 |
| Total: | \$5,478,751.58 |

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

- ☐ Restitution amount ordered pursuant to plea agreement \$
- ☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- ☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- | | | |
|--|-------------------------------|--|
| <input checked="" type="checkbox"/> the interest requirement is waived for the | <input type="checkbox"/> Fine | <input checked="" type="checkbox"/> restitution |
| <input type="checkbox"/> the interest requirement for the | <input type="checkbox"/> Fine | <input type="checkbox"/> restitution is modified as follows: |

* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: Paul Nicoletti
 CASE NUMBER: 0645 2:15CR20382 (1)

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A** ☒ Lump sum payments of \$5,479,151.58 (Special Assessment & Restitution) due immediately, balance due.
☐ not later than _____, or
☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B** ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in equal 20 (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☒ **Joint and Several**

Restitution is joint and several with the following defendants and/or related cases, in the amount specified below:

| <u>Codefendant/Cases</u> | <u>Total Amount</u> |
|--------------------------|---------------------|
| Alan Lucia, 09-20311 | \$1,585,528.00 |
| Matthew Flynn, 11-20157 | \$4,761,100.00 |
| Tyrone Hogan, 09-20410 | \$2,167,619.65 |
| Robert Hance, 11-20236 | \$6,019,123.00 |

See above for Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- ☐ Defendant shall receive credit on restitution obligation for recovery from other defendants who contributed to the same loss that gave rise to defendant's restitution obligation.
 The defendant shall pay the cost of prosecution.
 The defendant shall pay the following court cost(s):
 The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVT Assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.

State of Michigan

Attorney Discipline Board

Grievance Administrator,
Michigan Attorney Grievance Commission,

Petitioner,

ADB Case No.

v

Russell D. Brown, P60583,

Respondent.

Proof of Service

STATE OF MICHIGAN)

)ss

COUNTY OF WAYNE)

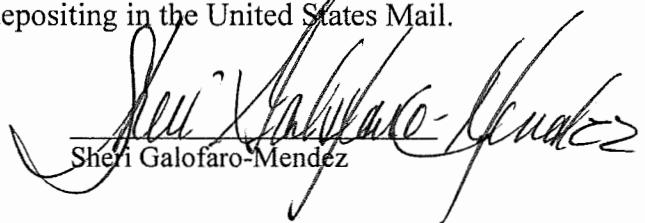
Sheri Galofaro-Mendez, being duly sworn, deposes and says that on March 17, 2020, she served a *Notice of Filing of a Judgment of Conviction* and this *Proof of Service*, upon the following:

Paul J. Nicoletti
Nicoletti Law PLC
33717 Woodward Ave Ste 433
Birmingham, MI 48009-0913
pauljnicoletti@gmail.com

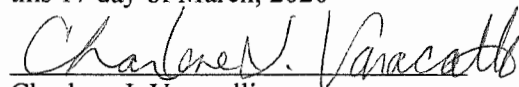
Certified Article 7003 1680 0004 5919 2007

Paul J. Nicoletti
3861 Estates Ct
Troy, MI 48084-1144
Certified Article 7003 1680 0004 5919 2328

via e-mail, certified mail and regular mail, by enclosing same in a sealed envelope properly addressed with sufficient postage affixed and depositing in the United States Mail.


Sheri Galofaro-Mendez

Subscribed and sworn to before me
this 17 day of March, 2020



Charlene J. Varacalli
Notary Public, Macomb County Michigan
My Commission Expires: 09/29/2025